

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 04-1664 SBA

SMITH & HAWKEN, LTD.,
Plaintiff,

v.

GARDENDANCE, INC., et al.,
Defendants.

**ORDER VACATING ORDER TO SHOW
CAUSE RE SANCTIONS AGAINST
DEFENSE COUNSEL**

On March 30, 2005, the Court issued an Order to Show Cause re: Sanctions (the "OSC"). The Court ordered Defendants to show cause why sanctions should not be issued for failing to make themselves available for a telephonic case management conference scheduled for March 24, 2005. The Court also ordered Defendants to file a Certificate of Counsel at least ten days prior to the OSC hearing explaining why sanctions should not be imposed. On April 18, 2005, Defendants filed a Certificate of Counsel, and Defendants' counsel also appeared at the April 28, 2005 OSC hearing. At the hearing, the Court vacated the OSC. The Court also set pre-trial and trial deadlines, referred the case to ENE, and ordered that a mandatory settlement conference be held before a Magistrate Judge between March 15, 2006 and March 31, 2006.

IT IS SO ORDERED.

Dated: 5-23-05

/s/ Sandra Brown Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge